



**DRAFT MEETING MINUTES**  
**BOARD OF SUPERVISORS, COUNTY OF MONO**  
**STATE OF CALIFORNIA**

Regular Meetings: The First,  
Second, and Third Tuesday  
of each month

**Regular Meeting**

County Courthouse,  
Bridgeport, CA 93517

**July 14, 2009**

<b>Flash Drive</b>	<b>File #1013/1001 (new)</b>
<b>Minute Orders</b>	<b>M09-150 through M09-163</b>
<b>Resolutions</b>	<b>R09-46 through R09-46</b>
<b>Ordinance</b>	<b>Ord09-02 Not Used</b>

9:00 AM Meeting Called to Order by Chairman Reid

Pledge of Allegiance led by Supervisor Farnetti

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
*No one spoke.*

**BOARD MEMBER REPORTS**

**Supervisor Bauer:**

1. June 19: Attended the SCOG meeting and ESTA meeting.
2. June 22: Attended a meeting on the vacation rental issue in June Lake.
3. June 26: While in Washington D.C., lobbied for the transportation bill.
4. July 1: Attended an open house at the June Lake Visitors' Center.
5. July 3: Participated in the Mammoth Chamber of Commerce dunk tank.
6. July 4: Participated in the Mammoth Lakes parade, along with disabled sports and members of the Town Council.
7. July 7: Attended the June Lake CAC meeting.
8. Worked at Jazz Jubilee over the weekend.
9. Last week attended the video conference training in the CAO meeting room.
10. Worked on the Digital 395 project.
11. YARTS will have a ribbon cutting ceremony for its 10<sup>th</sup> anniversary celebration.
12. The transportation bill will direct new funding streams to rural areas.

**Supervisor Farnetti:**

1. June 17: Participated in a conference call with CSAC to discuss HUTA. The task force vote to increase gas tax by 5 cents rather than raid HUTA did not result in a definitive outcome. Did vote to approve the HUTA tax shift.
2. June 24: Attended the Mental Health/Alcohol and Drug Task Force meeting. They addressed cut backs, new members appointed to the board, the ECHO billing system, and a job announcement for a mental health fiscal officer.

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3. June 30: Met with staff members to talk about solid waste gate fees prior to meeting with members of the Town. Met with Michael Grossblatt to discuss increasing fees. The Town is concerned about the impact because they raised other fees recently.
4. July 4: Attended the parade in Bridgeport; there was a great turnout.
5. July 8: Attended the Solid Waste Task Force meeting.

**Supervisor Hazard:**

1. June 17: Attended a meeting at the Marine Base to discuss issues in the surrounding area, including the final language in the Wilderness Bill pertaining to recreation. Congressman McKeon addressed this issue and new language was approved.
2. June 19: Attended the COG meeting.
3. Met with residents in Crowley Lake about cell tower issues and internet services.
4. Worked on Praxis issues (pertaining to broadband service).
5. Worked on the Crowley Lake water tank issue.
6. July 3: Held office hours in Benton.
7. Last week addressed an issue about a piece of property in Sunny Slopes. The property line surveys have "migrated" over the years and are inconsistent. The problem came to light when the property owner wanted to build a garage. All the parties involved have discussed a solution to the problem.
8. July 10: Met with several citizens in Chalfant about a very ill citizen. The belief is that their water supply is a problem. Environmental Health will write a letter to the community members about this issue and the need for well testing.
9. Attended the Jazz Jubilee.
10. Tonight: Will attend a meeting with the Aspen Springs Homeowners Association prior to the Board meeting at 6:00 p.m.
11. Bears have been active in the south end of the County.

**Supervisor Hunt:**

1. Yesterday: Met with someone who is working with the Inter-regional Water Management program. Grant money is available to put the plan into effect by the middle of September. The organization will address the Board some time during the summer.
2. Yesterday: Attended the Great Basin Unified Air Pollution Control District meeting. Discussed establishing a government accounting board; no action was taken, but will receive more details in the future. Discussed possible air pollution reduction projects to be funded by a newly created program.
3. The 2009 annual meeting of RCRC will be held September 23-25 in Squaw Valley.

**Chairman Reid:**

1. Met with Tom Crowe in Lee Vining regarding his boat concession on Mono Lake. Crowe asked for Reid's help to re-open negotiations with the State about getting a new permit.
2. Met with IMAAA consultants; 11 people in Walker attended the meeting.
3. Attended a work party at the Bridgeport Visitors' Center a week ago. A local group, such as the Chamber of Commerce, needs to step up and volunteer to run the center; Reid won't ask the Board of Supervisors to use funding for staffing. Will attend another meeting tomorrow.
4. Met with county counsel staff about tonight's meeting; Reid has an outline of how the meeting will be conducted.

**COUNTY ADMINISTRATIVE OFFICE**

- 1) CAO Report regarding Board Assignments (David Wilbrecht)

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Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

**David Wilbrecht:**

1. Continuing to hold status meetings with department heads; also continuing to hold management meetings.
2. Attended the SCOG meeting.
3. Helped with an animal clinic in Crowley Lake.
4. Currently holding budget meetings with department heads.
5. Attended a meeting, along with Supervisor Reid, in Walker to discuss the Antelope Valley Senior Workshop and fire district property.
6. Purchase of the Hammil property has closed.
7. Continuing to work with the agenda review process.
8. Lynn Coster will be here for two weeks to work with the Public Works Department; he is only charging for lodging and mileage.
9. Used Reverse 911 to help notify people about last week's power outage; that went well.

2) **APPROVAL OF MINUTES**  
None

Closed Session: 9:02 a.m.  
Break: 10:06 a.m.  
Reconvened: 10:10 a.m.  
Break: 11:28 a.m.  
Reconvened: 11:38 a.m.  
Break for Lunch: 12:05 p.m.  
Reconvened: 1:03 p.m.  
Adjourned: 2:00 p.m.

**CLOSED SESSION**

***Nothing to report from closed session.***

- 2a) Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Properties: APNs 0237002 and 0236128. Agency negotiators: Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Mark Mikulicich. Negotiating parties: Antelope Valley Fire Protection District and Mono County. Under negotiation: price and terms of payment.

**COUNTY COUNSEL**

- 3a) Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrator.

**DEPARTMENT REPORTS/EMERGING ISSUES**

**Jeff Walters:** 1) Two new 6x6 dump trucks (without plow blades) will be delivered tomorrow in Lee Vining; the trucks will be inspected to make sure they comply with specifications. One truck will go to Walker and the other one to Benton, so each district will now have a new truck.  
2) Crews have finished the Cottonwood Canyon Road, and residents are giving positive

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feedback.

**Brian Muir:** Update about the Quarterly Investment Report. For the last quarter, the investment point increased so the pool made money. Also, the report is now on the Mono County website, as is the treasury balance report. The County has more cash this year than last, but rather than investing it at this point, Muir will hold the money pending more information about the current budget situation.

**Dan Lyster:** 1) A Mono County sign on 395, north from Bishop, has been damaged. Lyster's office is currently working to get the sign repaired. 2) At a tourism conference last week, Mono County's brochure and website were voted 2<sup>nd</sup> best. Still, many people don't know where Mono County is located, which raises the question about promoting as Mono County or Eastern Sierra.

**Evan Nikirk:** 1) Distributed a copy of Notice of Proposed Gate Fee Increases in anticipation of bringing this issue to the Board. His office is currently advising customers and the public about the upcoming hearing to discuss the fee increase. Inflation is over 14% since last gate fee increase, so the proposed 13.6 % increase is in line with inflation. 2) Regarding approval of the plans and specifications for the jail roof, it has come to Nikirk's attention that the architect identified jail occupancy incorrectly. As a result, the pressure treated lumber trusses have to be replaced with steel trusses. In order to contain costs, the roof structure can be modified. The proposal is to use a membrane product rather than build a pitched roof; this change will be cheaper, faster, and easier for the building inspector to review. However, it won't have the architectural tie-in with the Courthouse. Maintaining the same design using the steel trusses would mean a \$100,000 increase. The proposed membrane is a very effective product and it has been successful on Sierra Center Mall. Public Works will come back to the Board with the revised plan.

**Scott Burns:** Update on Rodeo Grounds specific plan project. The developer has proposed a figure regarding general density; the Planning Department is waiting more specific information.

## CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

### ***Chairman Reid pulled Items 4a and 6a***

#### COUNTY ADMINISTRATIVE OFFICE

#### **Additional Departments:** Public Health, Mental Health

- 4a) Layoff Resolution - Proposed resolution eliminating certain positions, and authorizing the layoff of certain employees, in the department of public health and the department of mental health.

- R09-46** **Action:** Adopt **Resolution R09-46** eliminating certain positions, and authorizing the layoff of certain employees, in the department of public health and the department of mental health.

**Bauer/Hunt, 4-1; Reid no**

Marshall Rudolph: The layoff date is October 1, 2009, and not September 1, 2009, as specified in one section of the resolution.

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## FINANCE

- 5a) Petty Cash Funds - Consider approval of a \$50.00 petty cash fund for the Social Services Department for use at the Walker Senior Center.
- M09-150      Action:** Authorize \$50 petty cash fund for the Social Services Department.  
**Hunt/Hazard, 5-0**

## COMMUNITY DEVELOPMENT - PLANNING DIVISION

### **Additional Departments:** County Counsel

- 6a) Revision to deed restriction at Osage Circle - Revision to deed restriction at Osage Circle subdivision regarding restrictions on secondary unit (brings requirements into conformity with housing ordinance).
- M09-151      Action:** A) Approve: 1) Agreement, Covenants, Conditions and Restrictions on Deed to Implement Housing Mitigation Requirements; and 2) Rescission of Regulatory Agreement and Declaration of Restrictive Covenants. B) Authorize Chairman's signature on these documents.  
**Hazard/Farnetti, 5-0**

Marshall Rudolph: The document refers to an Exhibit C, but there is no Exhibit C (the reference serves no purpose—it was a holdover from a template). In order the expedite recording of the document, the parties prefer to leave the language intact.

## REGULAR AGENDA

### CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

### CLERK-RECORDER

- 7a) California Integrated Waste Management Board - Two letters pertaining to administrative conference workplan update status determinations for the County of Mono Department of Environmental Health as the Solid Waste Local Enforcement Agency.
- 7b) California Regional Water Quality Control Board--Lahontan Region - Notice of California Environmental Quality Act (CEQA) scoping meetings regarding development of a basin plan amendment to amend the water quality objective for pesticides in the waters of the Lahontan Region.

***The Board acknowledged receipt of the correspondence.***

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## MENTAL HEALTH

- 8a) Mono County Combined Mental Health and Alcohol/Drug Advisory Board (**Ann Gimpel PhD**) - Receive presentation by Ann Gimpel, Ph.D. regarding the composition of the Mono County Combined Mental Health and Alcohol/Drug Advisory Board. Consider the appointment Roger O'Donnell as a new member; the reappointment of Rosanne Higley, Nancy Hilmo, Delores Garcia Wright, and Cathy Lytle as members; and resignations by Greg Hadfield and Robert Singer.

**M09-152 Action:** Appoint Roger O'Donnell as a new member of the Mono County Combined Mental Health and Alcohol/Drug Advisory Board, with a term ending July 14, 2012. Reappoint Rosanne Higley, Nancy Hilmo, and Cathy Lytle as members of said board with terms ending July 14, 2012. Accept resignations by Greg Hadfield and Robert Singer as members of said board.  
**Bauer/Hunt, 5-0**

Ann Gimpel: The two boards have been combined; only Roger O'Donnell expressed an interest in being appointed. Several members need to be reappointed; two members have resigned. Gimpel asked the Board to pull Wright's reappointment until Gimpel has the opportunity to speak with Wright directly.

- 8b) State Hospital Access FY 08 09 (**Ann Gimpel PhD**) - Consider and potentially approve County entry into proposed contract with the California State Department of Mental Health pertaining to State Hospital Access for FY 08 09, and authorize the County Mental Health Director to execute said contract on behalf of the County. Receive staff report. Provide any desired direction to staff.

**Motion Failed Action:** Direct staff to draft a letter to the State Department of Mental Health regarding the County's untimely receipt of state hospital access contract; send the letter along with the unsigned contract.  
**Hazard/Bauer, 2-3, motion failed; Hunt, Farnetti, Bauer voted no**

**M09-153 Action:** 1) Approve County entry into a proposed contract with the State Department of Mental Health (DMH) for State Hospital Access and authorize Ann Gimpel, Ph.D., Mental Health Director to sign, administer, and act as liaison for said contract on behalf of Mono County. 2) Direct staff to draft a letter to the State Department of Mental Health, to be signed by the Chair, regarding the County's untimely receipt of state hospital access contract.  
**Hunt/Farnetti, 5-0**

Ann Gimpel: This is an annual contract; the State sent it in the middle of June 2009 for fiscal year 2008-2009. Since it is too expensive for small counties to purchase a bed at any State hospital, small counties can contract for the intent to purchase a bed if needed. Should the need for a bed arise in Mono County, Gimpel will apply to the small county emergency risk pool for funding since the cost would be a hardship. If the Board does not approve the

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contract, the County could be at risk because they would not have a "current" contract on file; the contract for 2009-10 won't be sent any time soon.

Board Members expressed frustration with receiving the contract from the State at the end of the fiscal year and having to approve an expired contract. Members asked staff to draft a letter addressing this situation.

## ECONOMIC DEVELOPMENT

- 9a) Request to Approve Expenditure from Fish and Game Fine Fund (**Dan Lyster**) - At the May 20, 2009 meeting of the Inyo-Mono Fish & Game Advisory Commission, the commissioners voted to recommend approval of a request for a total of six hundred and twenty dollars (\$620) from the Mono County Fish and Wildlife Propagation Fund (aka Fish and Game Fine Fund). Three hundred dollars would be directed for purchase of trout for the upcoming Children's Fishing Festival in Mammoth, and the remaining \$320 would be used to reimburse Commissioner Joe Pecsí for mileage (at a rate of \$ 0.55 per mile) to attend the statewide County Fish & Game Commission meeting in Sacramento . Currently, the unencumbered balance in the Fine Fund is \$20,738.21.
- M09-154      Action:** Approve the requested expenditure of \$300 from the Fish and Game Fine Fund to purchase trout for the upcoming Children's Fishing Festival in Mammoth.  
**Farnetti/Hunt, 5-0**
- M09-155      Action:** 1) Approve a one-time reimbursement to Joe Pecsí for \$320 from the General Fund for mileage expenses to attend the statewide County Fish & Game Commission meeting in Sacramento. 2) Direct staff to revise the resolution to address the issue of receiving recommendations and reimbursement requests from either the Inyo-Mono Fish & Game Advisory Commission or the Mono County Fisheries Commission.  
**Farnetti/Hazard, 5-0**

Dan Lyster: The Board is being asked to consider two expenditure requests—a travel reimbursement and a contribution to a children's fishing event. The travel reimbursement is for Joe Pecsí, who is Mono County's representative on the Inyo-Mono Fish & Game Advisory Commission. The Mono County Fisheries Commission reviewed these requests and recommended approval.

Marshall Rudolph: Regarding requests for expenditures from the Fish and Game Fine Fund, the Board adopted a resolution last year to accept recommendations only from the Mono County Fisheries Commission. If the Board wants to accept requests directly from the Inyo-Mono Fish & Game Advisory Commission, the resolution will need to be revised. Regarding the request for mileage reimbursement, this cannot be paid from the fund because the resolution specifies that expenses will only be reimbursed for the Mono County Fisheries Commission. The Board can choose to revise the resolution in order to address these two issues.

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The Board asked staff to revise the resolution as suggested. They also asked to have requests for travel reimbursements brought forward prior to the travel taking place.

- 9b) Contract with Inland Aquaculture Group for Trout Stocking (**Dan Lyster**) - The contract provides for the stocking of Alper's trout into sixteen (16) locations in Mono County, as delineated in the attached contracts (Attachment A).

**M09-156** **Action:** Authorize the Chair to sign the contract with Inland Aquaculture Group.  
**Bauer/Farnetti, 5-0**

Dan Lyster: Since Alpers Trout is no longer an operating business entity, the contract with Inland Aquaculture Group needs to be amended accordingly. The contract amount includes a one-time expenditure of \$20,000 recently approved by the Board.

Chairman Reid: Since this is a large contract, in the future the County should consider others who might want to bid. Lyster: Will determine if there are other bidders, but right now there are a limited number of producers and providers.

## PUBLIC WORKS

- 10a) Bridgeport Landfill Off-Site Diversion Channel Right-of-Way (**Matt Carter**) - Receive staff report regarding Public Works' application to BLM for permission to construct an off-site diversion channel on federal lands adjacent to the Bridgeport Landfill. Consider and potentially approve and ratify the Public Works Director's signature on an agreement with BLM to allow construction of a County facility on federal lands.

**M09-157** **Action:** Approve and ratify the Public Works Director's signature on an agreement with BLM to allow County construction of a storm water diversion channel on federal lands adjacent to the Bridgeport Landfill.  
**Hunt/Hazard, 5-0**

Matt Carter: In order to properly allow storm water to run off the landfill, the County needs to obtain a right of way from the BLM to construct a channel. There is no extra cost involved since this project was part of the original bid. Carter recommended approval; BLM is in agreement.

**Additional Departments:** Community Development Dept.

- 10b) Bus Shelter Encroachment Fee Waiver (**Jeff Walters**) - Receive staff report regarding the proposed installation of ESTA bus shelters on County property and within a County right-of-way. Consider and potentially authorize a waiver of encroachment permit fees.

**M09-158** **Action:** Authorize the Public Works Director to waive encroachment permit

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fees associated with the installation and operation of two ESTA bus stop shelters on County property and in a County right-of-way in the communities of Crowley Lake and Tom's Place; the approximate loss of revenue is \$600.

**Hazard/Hunt, 5-0**

Jeff Walters: ESTA wants to construct two shelters in County rights of way—1) north of Rock Creek on the east side of Crowley Lake Drive; and 2) near the Crowley Lake Community Center. Since the shelters provide a community service for residents, Walters recommended waiver of the fees associated with construction permits.

- 10c) Initial Facility Maintenance Priorities, FY09-10 (**Joe Blanchard**) - Receive staff report regarding potential maintenance projects at County facilities to start FY09-10. Discuss project priorities.

**M09-159 Action:** Direct staff to move forward with the County facilities maintenance projects.

**Hazard/Bauer, 5-0**

Joe Blanchard: Outlined the upcoming in-house and contract maintenance projects (listed in the staff report) to be accomplished between July and September in 2009. The projected cost for the in-house projects is \$57,500; the projected costs for the contract projects is \$25,000.

Supervisor Hazard: The Chalfant Community Center needs to be checked for ADA compliance.

- Rick McManis: The Building Department is working with Public Works on a case-by-case basis to address complaints. They are currently reviewing the Chalfant Community Center.

Supervisor Reid: The ADA parking logo at the Bridgeport Visitors' Center looks backwards from one entry point; also, the concrete tire barrier has been moved and is blocking a parking space. The Walker Senior Center also has curb issues.

- Blanchard: The parking sign was installed in order to meet compliance requirements. He will check on the tire barrier and curb issues.

- 10d) Report on Recorded Parcel Maps with Outstanding Improvements (**Garrett Higerd**) - Receive staff report regarding the status of recorded parcel maps with outstanding improvements and options available to ensure their completion.

**M09-160 Action:** Direct staff to review future requests on a case-by-case basis, and potentially grant up to a one-year extension for completion of the required improvements.

**Hazard/Farnetti, 5-0**

**M09-161 Action:** Direct staff to consider granting up to a one-year extension for completion of the required improvements to the four developers who have requested extensions.

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## **Hazard/Farnetti, 5-0**

Garrett Higerd outlined the issue:

- Parcel maps pertain to small projects, generally four parcels and a remainder; the people involved are not usually professional developers. The County may require infrastructure and improvements.
- There are currently five parties who have exceeded the deadline and not installed, nor bonded for, the improvements. These developers are having difficulty installing the improvements because they can't sell the lots. Four of the developers have requested an extension.
- The issue went before the Planning Commission who unanimously supported granting a one-year, across-the-board extension.
- Higerd requested direction from the Board of Supervisors.

The Board agreed with granting a one-year extension on a case-by-case basis.

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LUNCH

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## **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

John Helm, ESTA: Two new vehicles (with the new logo on them) should be in service in Antelope Valley by the end of this week.

## **FINANCE**

- 11a) Eastern Sierra Transit Authority (ESTA) Line of Credit (**Brian Muir**) - Consider County entry into proposed agreement with Eastern Sierra Transit Authority pertaining to the advancement of funds. Receive staff report. Provide any desired direction to staff.

- M09-162**      **Action:** Approve \$50,000 line of credit to ESTA to bear interest at the county pool rate and expire on June 30, 2010. Authorize Chairman to sign loan agreement on behalf of the County.  
**Bauer/Hunt, 5-0**

Brian Muir: ESTA has requested a line of credit of \$50,000. Last year the Board granted a \$100,000 line of credit, which was paid back with interest. Approving this request will have a budget impact since the \$50,000 won't be available until it is paid back.

John Helm: This funding provides cash flow for the authority while they build operating funds. Helm anticipates that ESTA will be self sustaining within 2 years; until then, they need help from jurisdictions. Bishop Town Council approved the request last night, and Mammoth Town Council will consider it tomorrow night; Inyo County tabled the request until September.

Supervisor Bauer: ESTA is working to build a reserve fund. The transportation plan for re-authorization, which passed through the house, considers ridership and miles, which will be a key to ESTA's financial future.

Supervisor Hunt: ESTA may not need to use the money, but it provides a safety net.

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## BOARD OF SUPERVISORS

- 12a) State Budget (**Board Members**) - The Board of Supervisors may discuss issues pertaining to the California State budget.

**Action:** None.

Geoff McQuilkin continues to receive petitions from the community supporting Bodie and Mono Lake State Parks; he has been forwarding them to the decision makers in Sacramento. The license fee for cars is not being considered at this time, and it is unknown how much funding will be allocated for State parks. Parks have received a lot of attention and the legislators have been hearing from people. Two of the three public visitation sites at Mono Lake are State Park facilities, but South Tufa is controlled by the Forest Service. Parks receiving federal funds must stay open, but none of those parks are in Mono County. However, Bodie and Mono Lake State Parks have received federal grants in the past, and closing them could jeopardize future funding, or the State may be required to pay the grants back.

- 12b) **ADDENDUM**  
Proposed Letter in Support of the "Digital 395" Project (**Supervisor Hazard**)  
**M09-163 Action:** Approve and authorize the Chair to sign a letter from the Board of Supervisors expressing its support for the "Digital 395" Project proposed by Praxis Associates, which is intended to bring broadband technology and telecommunication infrastructure to the Eastern Sierra.  
**Hazard/Bauer, 5-0**

Supervisor Hazard: Many agencies are working to gather support for this project. Praxis Associates has helped move this forward. Supervisor Bauer: Buck McKeon's office has written a letter, and both Senators are working on this in Washington, D.C.

ADJOURN: 2:00 p.m.

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